

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19-cv-01764-RDM**

AMERICAN OVERSIGHT v. U.S. DEPARTMENT OF
HOMELAND SECURITY et al
Assigned to: Judge Randolph D. Moss
Cause: 05:552 Freedom of Information Act

Date Filed: 06/18/2019
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

AMERICAN OVERSIGHT

represented by **Daniel Alexander McGrath**
AMERICAN OVERSIGHT
1030 15th Street, NW
Suite B255
Washington, DC 20005
(202) 897-4213
Email: daniel.mcgrath@americanoversight.org
ATTORNEY TO BE NOTICED

Danielle C. Morello
COHEN & GRESSER, LLP
2001 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20006
(202) 851-2074
Email: dmorello@cohengresser.com
ATTORNEY TO BE NOTICED

Melissa H. Maxman
COHEN & GRESSER, LLP
2001 Pennsylvania Ave, NW
Suite 300
Washington, DC 20006
(202) 851-2071
Fax: (202) 851-8820
Email: mmaxman@cohengresser.com
ATTORNEY TO BE NOTICED

Ronald F. Wick
COHEN & GRESSER, LLP
2001 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20006
(202) 851-2070
Fax: (202) 851-2081
Email: rwick@cohengresser.com
ATTORNEY TO BE NOTICED

Erica Courtney Lai
COHEN & GRESSER, LLP
2001 Pennsylvania Avenue, NW
Suite 300
Washington, DC 20006
(202) 851-2073
Email: elai@cohengresser.com
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
HOMELAND SECURITY**

represented by **Damon William Taaffe**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2544
Fax: (202) 252-2599
Email: damon.taaffe@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. IMMIGRATION AND
CUSTOMS ENFORCEMENT**

represented by **Damon William Taaffe**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. CUSTOMS AND BORDER
PROTECTION**

represented by **Damon William Taaffe**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/18/2019	<u>1</u>	COMPLAINT against All Defendants (Filing fee \$ 400 receipt number 0090-6195044) filed by AMERICAN OVERSIGHT. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Lai, Erica) (Entered: 06/18/2019)
06/18/2019		Case Assigned to Judge Randolph D. Moss. (zef,) (Entered: 06/18/2019)
06/18/2019	<u>2</u>	SUMMONS (5) Issued Electronically as to U.S. CUSTOMS AND BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 06/18/2019)
06/18/2019	<u>3</u>	STANDING ORDER: The parties are hereby ORDERED to comply with the directives set forth in the attached Standing Order. See document for details. Signed by Judge Randolph D. Moss on 6/18/2019. (lcrdm2,) (Entered: 06/18/2019)
06/18/2019	<u>4</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by AMERICAN OVERSIGHT (Lai, Erica) (Entered: 06/18/2019)
07/12/2019	<u>5</u>	NOTICE of Appearance by Damon William Taaffe on behalf of All Defendants (Taaffe, Damon) (Entered: 07/12/2019)
07/26/2019	<u>6</u>	NOTICE of Appearance by Danielle C. Morello on behalf of AMERICAN OVERSIGHT (Morello, Danielle) (Entered: 07/26/2019)
07/30/2019	<u>7</u>	NOTICE of Appearance by Melissa H. Maxman on behalf of AMERICAN OVERSIGHT (Maxman, Melissa) (Entered: 07/30/2019)
07/30/2019	<u>8</u>	Consent MOTION for Extension of Time to File Answer re <u>1</u> Complaint, by U.S. CUSTOMS AND BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (Taaffe, Damon) (Entered: 07/30/2019)
07/30/2019	<u>9</u>	NOTICE of Appearance by Daniel Alexander McGrath on behalf of AMERICAN OVERSIGHT (McGrath, Daniel) (Main Document 9 replaced on 7/31/2019) (ztd). (Entered: 07/30/2019)
07/31/2019	<u>10</u>	NOTICE of Appearance by Damon William Taaffe on behalf of All Defendants (Taaffe, Damon) (Entered: 07/31/2019)

08/01/2019	<u>11</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 7/1/2019. (Answer due for ALL FEDERAL DEFENDANTS by 7/31/2019.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 06/24/2019., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CUSTOMS AND BORDER PROTECTION served on 6/24/2019; U.S. DEPARTMENT OF HOMELAND SECURITY served on 6/24/2019; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT served on 6/24/2019 (Attachments: # <u>1</u> Exhibit A)(Lai, Erica) (Entered: 08/01/2019)
08/02/2019		MINUTE ORDER: Upon consideration of the Defendants' unopposed motion for an extension of time to answer the complaint, it is hereby ORDERED that the motion is GRANTED. Defendants shall file an answer to the complaint on or before August 14, 2019, and the parties shall file a joint status report apprising the Court of the status of plaintiff's request on or before September 5, 2019. Signed by Judge Randolph D. Moss on 08/02/2019. (lcrdm2,) (Entered: 08/02/2019)
08/02/2019		Set/Reset Deadlines: Defendants shall file an answer to the complaint on or before 8/14/2019; Joint Status Report due by 9/5/2019. (kt) (Entered: 08/02/2019)
08/14/2019	<u>12</u>	ANSWER to Complaint by U.S. CUSTOMS AND BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT.(Taaffe, Damon) (Entered: 08/14/2019)
08/21/2019		MINUTE ORDER: The parties are hereby ORDERED to appear for an Initial Scheduling Conference on September 19, 2019, at 10:00 a.m. in Courtroom 21. It is further ORDERED that the parties shall confer in advance of the Initial Scheduling Conference on (1) whether any records can be released, and (2) the proper next steps in this litigation. Signed by Judge Randolph D. Moss on 08/21/2019. (lcrdm2,) (Entered: 08/21/2019)
08/21/2019		Set/Reset Hearings: Initial Scheduling Conference set for 9/19/2019, at 10:00 AM, in Courtroom 21, before Judge Randolph D. Moss. (kt) (Entered: 08/21/2019)
09/05/2019	<u>13</u>	Joint STATUS REPORT by AMERICAN OVERSIGHT. (Lai, Erica) (Entered: 09/05/2019)
09/16/2019	<u>14</u>	NOTICE of Appearance by Ronald F. Wick on behalf of AMERICAN OVERSIGHT (Wick, Ronald) (Entered: 09/16/2019)
09/19/2019		Minute Entry for proceedings held before Judge Randolph D. Moss: Initial Scheduling Conference held on 9/19/2019. For the reasons stated on the record, the parties shall file a joint status report in 30 days. Within 3 weeks, DHS shall inform Plaintiff as to a proposed production schedule and page count. (Court Reporter: Jeff Hook) (kt) (Entered: 09/19/2019)
09/24/2019	<u>15</u>	<p>TRANSCRIPT OF INITIAL SCHEDULING CONFERENCE before Judge Randolph D. Moss held on September 19, 2019. Page Numbers: 1 – 16. Date of Issuance: September 24, 2019. Court Reporter: Jeff Hook. Telephone number: 202–354–3373. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 10/15/2019. Redacted Transcript Deadline set for 10/25/2019. Release of Transcript Restriction set for 12/23/2019.(Hook, Jeff) (Entered: 09/24/2019)</p>

10/21/2019	<u>16</u>	Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION, U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT. (Taaffe, Damon) (Entered: 10/21/2019)
10/22/2019		MINUTE ORDER: Upon consideration of the parties' joint status report, Dkt. <u>16</u> , it is hereby ORDERED that the parties shall file a further joint status report on or before December 20, 2019. It is further ORDERED that Defendants shall file a status report that furnishes the Court with details regarding their respective FOIA processing burdens on or before November 6, 2019. Signed by Judge Randolph D. Moss on 10/21/2019. (lcrdm2,) (Entered: 10/22/2019)
10/23/2019		Set/Reset Deadlines: Defendants Status Report due by 12/20/2019. (kt) (Entered: 10/23/2019)